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| FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108 | | | EXAMINER RAMPURIA, SATISH | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/789,010

Applicant(s)

SOMOGYI, ALEXANDER J.

Examiner

Satish S. Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is in response to the amendment received on 05/09/2007.
2. The objection to specification is withdrawn in view of Applicant's amendment.
3. The objection to claim 7 is withdrawn in view of Applicant's cancelled the claim.
4. The rejection under 35 U.S.C. §101 to claims 1-7 is withdrawn in view of Applicant's cancelled the claim.
5. The rejection under double patenting rejection to claims 1-7 is withdrawn in view of Applicant's cancelled the claims 1-7.
6. Claims cancelled by the Applicant: 1-7.
7. New Claims added by the Applicant: 8-16.
8. Claims pending in the application: 8-16.

Response to Arguments

9. Applicant's arguments filed 05/09/2007 have been fully considered but they are not persuasive.

With respect to double patenting rejection, Applicant's representative has filed a terminal disclaimer. However, the terminal disclaimer is not approved due to the attorney is not of the record. The representative needs to file the power of attorney to make the attorney (PLUNKETT, THOMAS, 57,253) of the record. (See § 1.32).

In the remarks, the applicant has argued that:

Raventos d[discloses enabling a transaction-based service utilizing non-

transactional resources. While Raventos discusses transaction processing, the XA protocol, and resource managers, Raventos does not discuss the problem that the current patent application was attempting to fix, nor does Raventos disclose the invention described in the claims.

Examiner's response:

In response to applicants argument, Raventos does disclose the cited limitations as described below in the rejection. Further, Examiner is not clear that applicants referring to what limitations by stating that Raventos does not discuss the problem that the current patent application was attempting to fix, nor does Raventos disclose the invention described in the claims. Applicants makes general allegations and does not point out any errors in the rejection. Therefore, Raventos disclose the cited limitations for the newly cited claims and maintained herein.

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 8-16 are rejected under 35 U.S.C. 102(e) as being anticipated by US Publication No. 2002/0194244 to Raventos (hereinafter, Raventos).

Per claim 8:

Raventos discloses:

8. (New): A method, comprising:

communicating with a resource manager from an application using an Application Programming Interface (API), wherein the API utilizes a logical connection to the resource manager (paragraph [0007] "communicatively coupled to a resource manager, and such plugin component may define various services (or tasks or "functions") that may be performed on a non-transactional resource");

controlling transaction demarcation using the Java™ Transaction API (JTA) (paragraph [0048] "plugin 325 is an object (e.g., a Java object), which may enable services to be invoked via interface 336 in any of various different languages or scripts");

communicating with the resource manager from a first transaction manager during two phase commit processing using an XAResource interface (paragraph [0008] “a Resource Manager is disclosed, which acts as a proxy implementing a transactional protocol (e.g., the X/Open XA protocol) in order to allow non-transactional resources (e.g., applications and/or devices) to be included within a transactional operation”);

enlisting a resource, wherein the first transaction manager associates a unique transaction identifier with work that is performed on a resource by invoking XAResource.start() (paragraph [0058] “block 802, “xa_start” command is executed to create an XID object that is associated with this particular thread of control”) on the resource and subsequent application updates to the resource are associated with a global transaction (paragraph [0009] “Once the services are enlisted to be part of a transaction, the Resource Manager takes care of interfacing the bus’ Transaction Manager in the sequence of events defined by a transaction protocol (e.g., the XA protocol), and to appropriately invoke the proper plugins to execute the service, validate it, undo it, or check for complete rollback of the service”);

delisting a resource, wherein the first transaction manager invokes XAResource.end() on the resource (paragraph [0058] “block 804, “xa_end” command is executed, wherein all tasks are stored in the task repository for the XID object” and paragraph [0009] “Resource Manager takes care of interfacing the bus’ Transaction Manager in the sequence of events defined by a transaction protocol (e.g., the XA protocol), and to appropriately invoke the proper plugins to execute the service”) and future application updates on the source over the logical connection are disassociated from the global

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transaction (paragraph [0053] "the procedure shown in FIG. 6 to update the available services on the bulletin board of the EAI bus"); and

blocking a second transaction manager from calling XAResource.start() (paragraph [0058] "block 802, "xa_start" command is executed to create an XID object that is associated with this particular thread of control") on the resource until the first transaction manager has called XAResource.end() on the resource (paragraph [0058] "block 804, "xa_end" command is executed, wherein all tasks are stored in the task repository for the XID object" and paragraph [0050] "Resource Manager 405 may include plugin manager 409, which may, for example, provide such services as locking for the plugins and mapping of services (or tasks) to particular plugins").

Per claim 9:

The rejection of claim 8 is incorporated and further, Raventos discloses:

9. (New): The method of claim 8, wherein the application communicates to the resource managing using JDBC™ or JMS (paragraph [0034] "Enterprise Application Integration (EAI) bus, or application server (e.g., BEA clink or any Enterprise JavaBeans (EJB) application server)").

Per claim 10:

The rejection of claim 8 is incorporated and further, Raventos discloses:

10. (New): The method of claim 8, wherein the first transaction manager and the second transaction manager are multiples threads of the same transaction manager (paragraph

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[0058] "Resource Manager 405 may be implemented with the ability to serve multiple transaction requests concurrently, which may each be represented by a different XID object").

Per claim 11:

The rejection of claim 8 is incorporated and further, Raventos discloses:

11. (New): The method of claim 8, wherein each XAResource instance is wrapped in an object that a transaction manager will use to synchronize concurrent enlistment requests (paragraph [0050] "Plugin manager 409 may also map (synchronize) services (or tasks) to particular plugins").

Per claim 12:

The rejection of claim 11 is incorporated and further, Raventos discloses:

12. (New): The method of claim 11, wherein the transaction manager maintains a collection of these wrapper objects which is consulted on each resource enlistment (paragraph [0009] "Once the services are enlisted to be part of a transaction, the Resource Manager takes care of interfacing the bus' Transaction Manager in the sequence of events defined by a transaction protocol (e.g., the XA protocol), and to appropriately invoke the proper plugins to execute the service, validate it, undo it, or check for complete rollback of the service").

Per claim 13:

The rejection of claim 12 is incorporated and further, Raventos discloses:

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13. (New): The method of claim 12, wherein each request to enlist the resource will first check to see if there is a lock being held on the resource by another thread of control (paragraph [0050] "Resource Manager 405 may include plugin manager 409, which may, for example, provide such services as locking for the plugins and mapping of services (or tasks) to particular plugins").

Per claim 14:

The rejection of claim 13 is incorporated and further, Raventos discloses:

14 (New): The method of claim 13, wherein if a resource is not yet locked a lock is granted to an accessor and held until the owner of the transaction ID delists the resource (paragraph [0050] "The plugin manager may provide locking services to enable such different plugins to be shared in that one or more resources associated with each plugin may be effectively locked until the transaction is complete").

Per claim 15:

The rejection of claim 14 is incorporated and further, Raventos discloses:

15. (New) The method of claim 14, wherein waiting threads are signaled when a lock is freed and one of the waiting threads will be granted the lock and allowed to proceed with its enlistment (paragraph [0064] "a transaction requires use of two different plugins to perform services (or tasks), lock manager 908 may provide locking services to enable such different plugins to be shared in that one or more resources associated with each plugin may be effectively locked until the transaction is complete").

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Per claim 16:

The rejection of claim 15 is incorporated and further, Raventos discloses:

16. (New): The method of claim 15, wherein a collection of wrapped XAResource objects is periodically garbage collected to clear stale and unused entries (paragraph [0065] "if a non-transactional resource is performing a task that may be easily undone (or rolled back), then the Resource Manager may follow the Online Mode of operation for such resource").

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Satish S. Rampuria** whose telephone number is **(571) 272-3732**. The examiner can normally be reached on **8:30 am to 5:00 pm** Monday to Friday except every other Friday and federal holidays. Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: 571-272-2100**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wei Y. Zhen** can be reached on **(571) 272-3708**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Satish S. Rampuria
Patent Examiner/Software Engineer
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A handwritten signature in black ink, appearing to read 'WZ' followed by a long, sweeping horizontal stroke.

WEI ZHEN
SUPERVISORY PATENT EXAMINER